

REMARKS

In the event that no generic claim is found allowable, the following species are provisionally elected for prosecution:

The species "pharmaceutically active ingredients" is provisionally elected from the active agents recited in claim 3.

The species "tramadol" is provisionally elected from the analgesics recited in claim 8.

The species "diclofenacate" is provisionally elected from the salts in claims 11 - 14.

The species "tablets" is provisionally elected from dosage forms listed in claims 15 – 20.

The species "retarding matrix" is provisionally elected from the species recited in claim 32.

The species "ethyl cellulose" is provisionally elected from the matrix materials in claims 55 - 61.

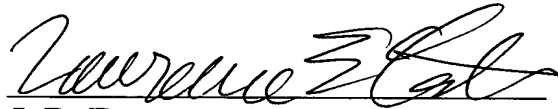
Claims 1 – 9, 11, 12, 15, 17, 18, 21, 30 – 32, 55 – 58, and 62 – 67 read upon the provisionally elected species.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #148/50986).

July 21, 2003

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Lawrence E. Carter", written over a horizontal line.

J. D. Evans

Registration No. 26,269

Lawrence E. Carter

Registration No. 51,532

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844